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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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07-CV-01396-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MUKESH SINGH,	)	CASE NO. C07-1396-JLR
	)	
Petitioner,	)	
	)	
v.	)	ORDER GRANTING PETITION FOR
	)	WRIT OF HABEAS CORPUS
MICHAEL CHERTOFF, et al.,	)	
	)	
Respondents.	)	

The Court, having reviewed the Report and Recommendation and the Supplemental Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections or responses thereto, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation and Supplemental Report and Recommendation;
- (2) Petitioner's Petition for Writ of Habeas Corpus (Dkt. # 1) is GRANTED, Respondents' Motion to Dismiss (Dkt. # 8), and Supplemental Motion to Dismiss (Dkt. # 15) are DENIED;
- (3) The Court STRIKES Petitioner's Motion for Judicial Notice (Dkt. # 21) as moot;

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01 (4) This matter is REMANDED to the Seattle Immigration Court for the purpose of  
02 providing petitioner with an individualized bond hearing within 30 days of the  
03 date of this Order. The Immigration Judge is to determine whether and under  
04 what conditions petitioner may be released from custody pending petitioner's  
05 Petition for Review in the Ninth Circuit Court of Appeals; and

06 (5) The Clerk shall send a copy of this Order to the parties, and to the Honorable  
07 Mary Alice Theiler.

08 DATED this 24<sup>th</sup> day of April, 2008.

09   
10 JAMES L. ROBART  
11 United States District Judge  
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